IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE V.ESWARAIAH**

-

**WRIT PETITION NO : 21671 of 2004**

Between:

Arvind Vihar Apartment Flat Owners Welfare Society (Regd.No.379) rep. by its President, Nageswar Rao Palle s/o.Venkaiah, Occ; Advocate, R/o.Flat No.103, Aravinda Nagar, Domalaguda, Hyderabad.

**..... PETITIONER**

AND

1 Government of A.P., rep by its Secretary, Department of Environment, Ministry of Environment, Forests Science andTechnology, A.P. Secretariat, Hyderazbad.
2 The Commissioner of Police, Hyderabad
3 The Hyderabad Municipal Corporation rep., by its Commissioner, Near Tank Bund, Hyderabad.
4 Kumar S/o.not known
R/o.Aravinda Nagar, Domalguda, Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate order writ or direction more particularly one in the nature of writ of mandamus, declaring the inaction of the respondents 1 to 3 in not preventing the 4th respondent from blocking public roads and causing pollution as illegal, arbitrary, contrary to the Environment (Protection) Act 1986 and unconstitutional and consequently direct the respondents 1 to 3 to forthwith prohibit the cattle rearing activity of the 4th respondent from Arvind Nagar, Domalaguda Hyderabad.

**Counsel for the Petitioner: MR.SRINIVASA RAO BODDULURI**

**Counsel for the Respondent No.2: GP FOR HOME**

**Respondent No.1: G.P. for Environment and Forests**

**Respondent No.2: Ganta Rama Rao**

**The Court made the following:**

ORDER:

The petitioner's flat owners association is facing several problems with illegal constructions, sound pollution apart from causing inconvenience and nuisance by the cattle rearing activities of the 4th respondent. Therefore, the petitioner seeks direction to respondents 1 to 3 preventing the 4th respondent from cattle rearing activities in their vicinity.

The learned counsel appearing on behalf of the 3rd respondent submitted that pursuant to the representation made by the petitioner's association the 3rd respondent had already issued a notice dated 14.12.2004 to the 4th respondent calling upon him either to obtain licence by fulfilling the required formalities or shift the livestock outside the city premises within one week from the date of receipt of the said notice.

In view of the said notice of the 3rd respondent initiating action against the 4th respondent, I am of opinion that no direction is required to be issued at present. If the required action has not been taken in accordance with law, it is open for the petitioner again to approach the 3rd respondent ventilating their grievances.

The writ petition is, accordingly, disposed of. No costs.

---

15.3.2005

kpr

To

1. The Secretary to Government, Department of Environment,

Ministry of Environment, Forests, Science and Technology,

Govt. of Andhra Pradesh, Secretariat, Hyderabad.

2. The Commissioner of Police, Hyderabad.

3. The Commissioner, Hyderabad Municipal Corporation,

Near Tank Bund, Hyderabad.

4. 2 copies to the G.P. for Home, High Court Buildings, Hyderabad (O.U.T.)

5. 2 C.D. copies

6 2 copies to the G.P. for Environment and Forests, High Court Buildings,

Hyderabad.